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Milbrath & Gilchrist, P.A.**

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jabid@addmg.com

**FACSIMILE COVER SHEET**

**TO:** Examiner Brent Swarthout - United States Patent and Trademark Office; Art Unit - 2636

**CLIENT NAME/NUMBER:** 58177

**TELEPHONE:** 571-272-2979

**FAX NO:** 571-273-8300

**FROM:** Jack G. Abid

**DATE:** November 30, 2006

**NUMBER OF PAGES (INCLUDING COVER SHEET):** 11

**COMMENTS/INSTRUCTIONS:**

Please see the attached Reply Brief for U.S. Patent Application Serial No. 10/626,969.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	
FLICK	)	Examiner: B. SWARTHOUT
	)	
Serial No. 10/626,969	)	Art Unit: 2636
	)	
Filing Date: JULY 25, 2003	)	Attorney Docket No. 58177
	)	
Confirmation No. 3941	)	
	)	
For: VEHICLE SECURITY SYSTEM	)	
INCLUDING PRE-WARNING FEATURES)	)	
FOR A VEHICLE HAVING A DATA.	)	
COMMUNICATIONS BUS AND RELATED)	)	
METHODS	)	

APPELLANT'S REPLY BRIEF

Mail Stop Appeal Brief  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Herewith is Appellant's Reply Brief that is submitted in reply to the Examiner's Answer to Appellant's Appeal Brief. If any additional extensions and/or fees are required, authorization is given to charge Deposit Account No. 01-0484.

As an initial matter, Appellant respectfully submits that Section 5 of the Examiner's Answer to Appellant's Appeal Brief ("Examiner's Answer") appears contradictory. The Examiner's Answer recites "[t]he summary of claimed subject matter contained in the brief is deficient ... The brief is deficient because of gggg" and subsequently recites "[t]he summary of claimed subject matter contained in the brief is correct." Appellant presumes that the first statement was an inadvertent error, and that the summary of claimed subject in

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the Appellant's Appeal Brief is correct. Appellant respectfully invites the Examiner to clarify his statement if this is not the case.

I. "Extending Throughout The Vehicle" In The Claimed Invention

As pointed out in Appellant's Appeal Brief, independent Claims 1, 12, 20, 25, 30, and 37 recite a vehicle data communications bus extending throughout the vehicle and connected to a plurality of vehicle devices. In the Examiner's Answer, the Examiner contends that the claim recitation "extending throughout the vehicle" has support in the specification only to the extent that the bus is interconnected to various components that are throughout the vehicle. The Examiner further contends that the specification of the present application is silent on the specific physical locations where the data communications bus extends.

Appellant respectfully submits that one of ordinary skill in the art would understand where the exemplary vehicle devices are located within the vehicle and, hence, where the data communications bus extends. (Figure 1). Moreover, the specification of the present application recites:

[t]he data communications bus interface 15 is illustratively connected to various vehicle input devices including: an ignition switch 20; a key in the ignition sensor 21; two zone sensors 22a, 22b; conventional trunk hood and door pin sensors or switches 23, 24, and 25, respectively; and door lock switches 28. In addition, a pre-warn sensor 26 and valet switch 27 also provide inputs to the controller 11 in the illustrated

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embodiment. As would be readily understood by those skilled in the art, other inputs are also contemplated by the present invention and are generally described herein by the term sensor. In addition, an input signal may also be received from a remote transmitter 50 (FIG. 2).

The data communications bus interface 15 of the controller 11 may also preferably be connected to a plurality of output devices. The outputs may include auxiliary relay outputs 30, such as for window control, remote starting, or a remote alarm indication, as would be readily understood by those skilled in the art. A siren and/or lights 31, and green and red light emitting diodes (LEDs) 32, 33 for dashboard mounting are also illustratively connected to the controller 11. Other outputs may be directed to a valet LED 34, a dome light 36, a central lock relay or lock control unit 41, a starter kill circuit 42, and an armed relay output 43. In addition, other outputs may be directed to one or more of an audible tone generator 37, an alphanumeric display 44, a speech message annunciator 45, and a vibration transducer 46, as will be readily appreciated by those skilled in the art.  
 Specification, ¶¶ 37-38

## II. Continued Mischaracterization Of Nykerk Patent

### A. The Nykerk Patent Does Not Teach A Data Communications Bus Extending Throughout The Vehicle

In the Examiner's Answer, the Examiner contends that the claim recitation "data communications bus extending throughout the vehicle", as recited in independent Claims 1, 12, 20, 25, 30, and 37, is disclosed in the Nykerk patent.

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The Nykerk patent discloses communication between the control module 57 and other vehicle components through a conventional wiring harness 30. (Figures 1 & 4; Col. 8, lines 9-13). The Examiner correctly notes that the Nykerk patent discloses a data bus 64 constrained in the control module 57 but contends the data bus 64 extends throughout the vehicle, at least to the extent of the control module.

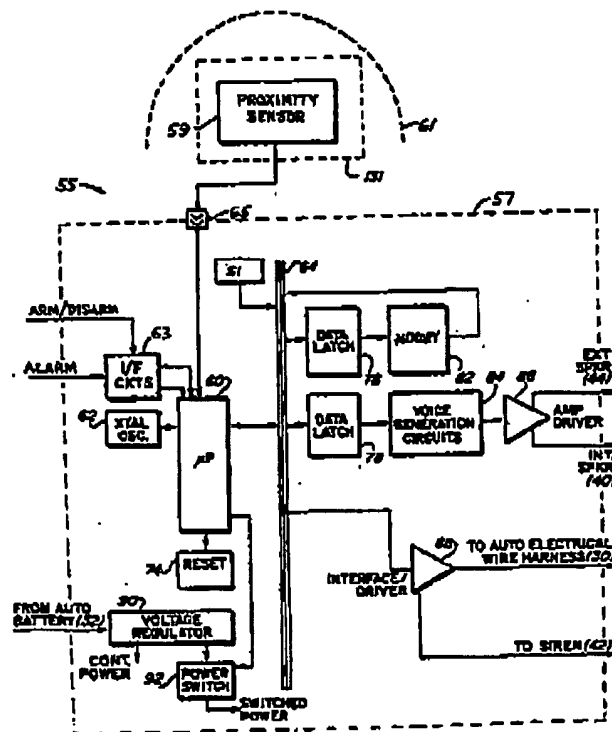


Figure 4 of the Nykerk Patent

Appellant submits that the Examiner has mischaracterized the data bus 64 of the Nykerk patent. As

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depicted in Figure 4 of the Nykerk patent, reproduced above, the data bus 64 of the Nykerk patent extends throughout the control module 57 and not throughout the vehicle, as recited in independent Claims 1, 12, 20, 25, 30, and 37. Accordingly, independent Claims 1, 12, 20, 25, 30, and 37 are patentable over the Nykerk patent.

B. The Data Bus Does Not Extend Through The Wiring Harness

In the Examiner's Answer, the Examiner also alternatively contends that the data bus 64, via interface/driver circuit 88 and electrical harness 30, communicates with the vehicle components, making the electrical harness 30 part of the data bus 64.

Appellant respectfully submits that the Examiner has mischaracterized the Nykerk patent and the claim recitation "data communications bus", as recited in independent Claims 1, 12, 20, 25, 30, and 37. The Nykerk patent discloses a conventional harness 30 extending throughout the vehicle and not the data bus 64. Appellant submits that simply connecting a data bus 64 and the wiring harness 30 through the interface/driver circuit 88 does not extend the data bus, as the Examiner contends. The characteristic that distinguishes a data bus from conventional wiring -the ability to connect multiple devices on the same set of wires- does not extend to the wiring harness 30 simply because you connect it to the data bus 64 through the interface/driver circuit 88. The limitation of conventional wiring, a dedicated wire for communication to each vehicle component, remains even though

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the wiring harness 30 is connected to the data bus 64.  
Accordingly, independent Claims 1, 12, 20, 25, 30, and 37 are  
patentable over the Nykerk patent.

III. Continued Mischaracterization Of The Suman et al. Patent  
A. The Suman et al. Patent Does Not Teach A Data  
Communications Bus Extending Throughout The Vehicle

In the Examiner's Answer, the Examiner contends that  
the claim recitation "data communications bus extending  
throughout the vehicle", as recited in independent Claims 1,  
12, 20, 25, 30, and 37, is disclosed in the Suman et al.  
patent. The Suman et al. patent discloses a driver circuit  
comprising a data bus 111, a data interface 100, and a  
conductor 129. The Suman et al. patent discloses the data bus  
111 extending within the driver circuit 75. (Figure 6A,  
reproduced below).

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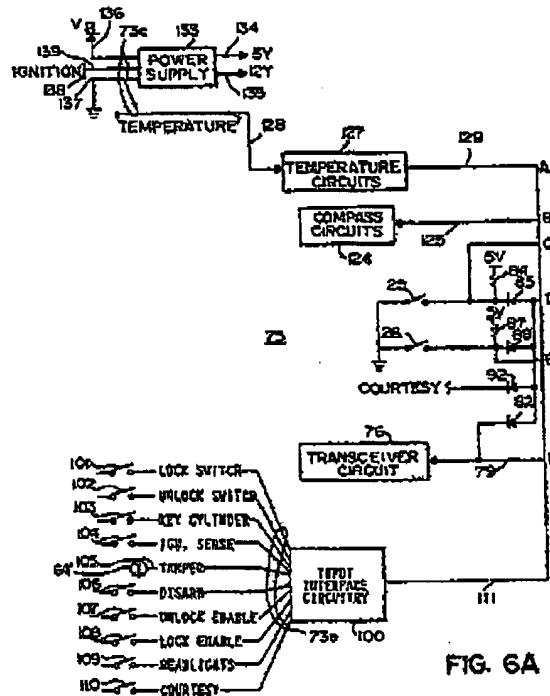


FIG. 6A

Figure 6A of the Suman et al. Patent

Furthermore, the Suman et al. patent discloses the data bus 111 connecting with the input interface circuitry 100, which then connects with the wiring harness 73a. The Suman et al. patent discloses that the input circuitry 100 and the data bus 111 are contained within the driver circuit 75, which is located within the roof of the vehicle. (Figures 6A & 6B; Col. 4, lines 21-23 & 52-54). Indeed, Figure 2 of the Suman et al. patent, reproduced below, depicts the cable 73 extending from the roof of the vehicle. The Examiner contends that the Suman et al. patent teaches the data communications



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bus 111 extending throughout the vehicle from the data interface 100 to the conductor 129.

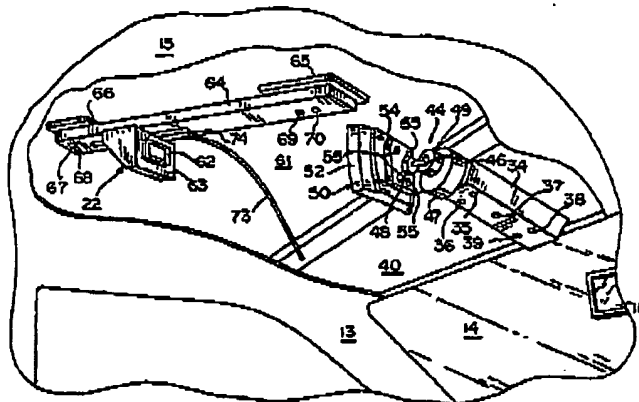


Figure 2 of the Suman et al. Patent

Appellant respectfully submits that the Examiner's above contention mischaracterizes the Suman et al. patent and contradicts the meaning of the phrase "extending throughout the vehicle", as in the claimed invention. As discussed above, the Suman et al. patent discloses the data bus 111 extending only between the input interface circuitry 100 and the conductor 129. More simply, the Suman et al. patent discloses the data bus 111 extending throughout the driver circuit 75 and not extending throughout the vehicle, as claimed. Accordingly, independent Claims 1, 12, 20, 25, 30, and 37 are patentable over the Suman et al. patent.

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B. The Data Bus Does Not Extend Through The Wiring Harness

In the Examiner's Answer, the Examiner also alternatively contends that although the Suman et al. data bus 111 was located entirely within the roof of the vehicle, the data bus was "essentially extending" throughout the vehicle by means of connection to the wiring harness 73a through the input circuitry 100.

Appellant submits that this contention of the Examiner is defective for similar reasons as discussed above in Section II(B) regarding the Nykerk Patent. Accordingly, independent Claims 1, 12, 20, 25, 30, and 37 are patentable over the Suman et al. patent.

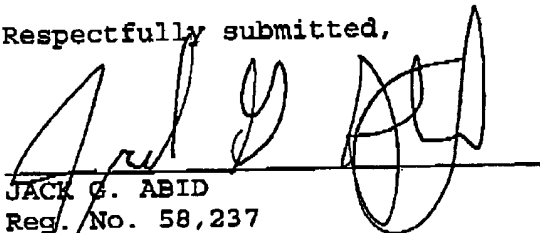
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**VI. Conclusion**

In light of Appellant's reply to the Examiner's arguments, it is respectfully submitted that all of the claims are patentable over the prior art. Appellant, therefore, respectfully requests that the Board of Patent Appeals and Interferences reverse the earlier unfavorable decision of the Examiner.

Respectfully submitted,



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JACK G. ABID  
Reg. No. 58,237  
Allen, Dyer, Doppelt, Milbrath  
& Gilchrist, P.A.  
255 S. Orange Avenue, Suite 1401  
Post Office Box 3791  
Orlando, Florida 32802  
407-841-2330  
407-841-2343 fax  
Attorney for Appellant

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-~~273~~3-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 30<sup>th</sup> day of November, 2006.

